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UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF VIRGINIA

CHAPTER 13 PLAN AND RELATED MOTIONS

Name of Debtor(s): Juana Rashawnda Murphy	Case No:	13-31267-DOT
This plan, dated	arch 13, 2013 , is:		
■	the <i>first</i> Chapter 13 plan filed in this case. a modified Plan, which replaces the □confirmed or □unconfirmed Plan dated.		
	Date and Time of Modified Plan Confirming Hearing:		
	Place of Modified Plan Confirmation Hearing:		

The Plan provisions modified by this filing are:

Creditors affected by this modification are:

NOTICE: YOUR RIGHTS WILL BE AFFECTED. You should read these papers carefully. If you oppose any provision of this Plan, or if you oppose any included motions to (i) value collateral, (ii) avoid liens, or (iii) assume or reject unexpired leases or executory contracts, you MUST file a timely written objection.

This Plan may be confirmed and become binding, and the included motions in paragraphs 3, 6, and 7 to value collateral, avoid liens, and assume or reject unexpired leases or executory contracts may be granted, without further notice or hearing unless a written objection is filed not later than seven (7) days prior to the date set for the confirmation hearing and the objecting party appears at the confirmation hearing. If no objections are timely filed, a confirmation hearing will NOT be held.

The debtor(s)' schedules list assets and liabilities as follows:

Total Assets: \$14,451.00

Total Non-Priority Unsecured Debt: \$27,110.00

Total Priority Debt: **\$0.00**Total Secured Debt: **\$10,500.00**

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1.	Funding of Plan. The deb	tor(s) propo	se to pay the trustee the sum of \$290.0	0 Monthly for 60 months	 Other payments to
	the Trustee are as follows:	NONE .	The total amount to be paid into the p	olan is \$ 17,400.00 .	

- 2. **Priority Creditors.** The Trustee shall pay allowed priority claims in full unless the creditor agrees otherwise.
 - A. Administrative Claims under 11 U.S.C. § 1326.
 - 1. The Trustee will be paid the percentage fee fixed under 28 U.S.C. § 586(e), not to exceed 10%, of all sums disbursed except for funds returned to the debtor(s).
 - 2. Debtor(s)' attorney will be paid \$ 2,700.00 balance due of the total fee of \$ 3,000.00 concurrently with or prior to the payments to remaining creditors.
 - B. Claims under 11 U.S.C. §507.

The following priority creditors will be paid by deferred cash payments pro rata with other priority creditors or in monthly installments as below, except that allowed claims pursuant to 11 U.S.C. § 507(a)(1) will be paid prior to other priority creditors but concurrently with administrative claims above:

<u>Creditor</u> <u>Type of Priority</u> <u>Estimated Claim</u> <u>Payment and Term</u>

- 3. Secured Creditors: Motions to Value Collateral ("Cramdown"), Collateral being Surrendered, Adequate Protection Payments, and Payment of certain Secured Claims.
 - A. Motions to Value Collateral (other than claims protected from "cramdown" by 11 U.S.C. § 1322(b)(2) or by the final paragraph of 11 U.S.C. § 1325(a)). Unless a written objection is timely filed with the Court, the Court may grant the debtor(s)' motion to value collateral as set forth herein.

This section deals with valuation of certain claims secured by real and/or personal property, other than claims protected from "cramdown" by 11 U.S.C. § 1322(b)(2) [real estate which is debtor(s)' principal residence] or by the final paragraph of 11 U.S.C. § 1325(a) [motor vehicles purchased within 910 days or any other thing of value purchased within 1 year before filing bankruptcy], in which the replacement value is asserted to be less than the amount owing on the debt. Such debts will be treated as secured claims only to the extent of the replacement value of the collateral. That value will be paid with interest as provided in sub-section D of this section. You must refer to section 3(D) below to determine the interest rate, monthly payment and estimated term of repayment of any "crammed down" loan. The deficiency balance owed on such a loan will be treated as an unsecured claim to be paid only to the extent provided in section 4 of the Plan. The following secured claims are to be "crammed down" to the following values:

 Creditor
 Collateral
 Purchase Date
 Est Debt Bal.
 Replacement Value

 Loan Max
 1999 Mazda 626 LX with 160,000 miles
 May 2011
 1,000.00
 3,100.00

B. Real or Personal Property to be Surrendered.

Upon confirmation of the Plan, or before, the debtor(s) will surrender his/her/their interest in the collateral securing the claims of the following creditors in satisfaction of the secured portion of such creditors' allowed claims. To the extent that the collateral does not satisfy the claim, any timely filed deficiency claim to which the creditor is entitled may be paid as a non-priority unsecured claim. Confirmation of the Plan shall terminate the automatic stay as to the interest of the debtor(s) and the estate in the collateral.

<u>Creditor</u> <u>Collateral Description</u> <u>Estimated Value</u> <u>Estimated Total Claim</u>

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C. Adequate Protection Payments.

The debtor(s) propose to make adequate protection payments required by 11 U.S.C. § 1326(a) or otherwise upon claims secured by personal property, until the commencement of payments provided for in sections 3(D) and/or 6(B) of the Plan, as follows:

MarkOne Financial	2007 Chevrolet Impala with 110,000	Monthly Payment 95.00	Trustee
Creditor	Collateral Description	Adeq. Protection Monthly Payment	To Be Paid I

Any adequate protection payment upon an unexpired lease of personal property assumed by the debtor(s) pursuant to section 6(B) of the Plan shall be made by the debtor(s) as required by 11 U.S.C. § 1326(a)(1)(B) (payments coming due after the order for relief).

D. Payment of Secured Claims on Property Being Retained (except only those loans provided for in section 5 of the Plan):

This section deals with payment of debts secured by real and/or personal property [including short term obligations, judgments, tax liens and other secured debts]. After confirmation of the Plan, the Trustee will pay to the holder of each allowed secured claim, which will be either the balance owed on the indebtedness or, where applicable, the collateral's replacement value as specified in sub-section A of this section, **whichever is less**, with interest at the rate provided below, the monthly payment specified below until the amount of the secured claim has been paid in full. **Upon confirmation of the Plan, the valuation and interest rate shown below will be binding unless a timely written objection to confirmation is filed with and sustained by the Court.**

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Creditor	Collateral	"Crammed Down" Value	Rate	Monthly Paymt & Est. Term**
MarkOne	2007 Chevrolet Impala with	9,500.00	4.25%	176.03
Financial	110,000 miles			60 months
Loan Max	1999 Mazda 626 LX with 160,000	1,000.00	4.25%	29.64
	miles			36 months

E. Other Debts.

Debts which are (i) mortgage loans secured by real estate which is the debtor(s)' primary residence, or (ii) other long term obligations, whether secured or unsecured, to be continued upon the existing contract terms with any existing default in payments to be cured pursuant to 11 U.S.C. § 1322(b)(5), are provided for in section 5 of the Plan.

4. Unsecured Claims.

- A. Not separately classified. Allowed non-priority unsecured claims shall be paid pro rata from any distribution remaining after disbursement to allowed secured and priority claims. Estimated distribution is approximately 3.

 %. The dividend percentage may vary depending on actual claims filed. If this case were liquidated under Chapter 7, the debtor(s) estimate that unsecured creditors would receive a dividend of approximately 0.%.
- B. Separately classified unsecured claims.

Creditor	Basis for Classification	Treatment
-NONE-		

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5.	Mortgage Loans Secured by Real Property Constituting the Debtor(s)' Primary Residence; Other Long Term
	Payment Obligations, whether secured or unsecured, to be continued upon existing contract terms; Curing of any
	existing default under 11 U.S.C. § 1322(b)(5).

A. Debtor(s) to make regular contract payments; arrears, if any, to be paid by Trustee. The creditors listed below will be paid by the debtor(s) pursuant to the contract without modification, except that arrearages, if any, will be paid by the Trustee either pro rata with other secured claims or on a fixed monthly basis as indicated below, without interest unless an interest rate is designated below for interest to be paid on the arrearage claim and such interest is provided for in the loan agreement.

	interest unless an interest rate is designated belo provided for in the loan agreement.		•			
Creditor -NONE-	<u>Collateral</u>	Regular Contract Payment	Estimated Arrearage	Arrearage Interest <u>Rate</u>	Estimated Cure Period	Monthly Arrearage <u>Payment</u>
В.	Trustee to make contract payments and cure regular contract monthly payments that come du debts shall be cured by the Trustee either pro rabelow.	e during the peri	iod of this Plar	n, and pre-p	etition arrearag	ges on such
Creditor -NONE-	<u>Collateral</u>	Regular Contract Payment	Estimated Arrearage	Interest Rate	Term for Arrearage	Monthly Arrearage Payment
С.	Restructured Mortgage Loans to be paid fully during term of Plan. Any mortgage loan against real estate constituting the debtor(s)' principal residence upon which the last scheduled contract payment is due before the final payment under the Plan is due shall be paid by the Trustee during the term of the Plan as permitted by 11 U.S.C. § 1322(c)(2) with interest at the rate specified below as follows:					
<u>Creditor</u> -NONE-	<u>Collateral</u>	Interest Rate	Estimate <u>Claim</u>		hly Paymt& Es	st. Term**

- **6. Unexpired Leases and Executory Contracts.** The debtor(s) move for assumption or rejection of the executory contracts and leases listed below.
 - **A. Executory contracts and unexpired leases to be rejected.** The debtor(s) reject the following executory contracts.

Creditor -NONE-

Type of Contract

B. Executory contracts and unexpired leases to be assumed. The debtor(s) assume the following executory contracts. The debtor agrees to abide by all terms of the agreement. The Trustee will pay the pre-petition arrearages, if any, through payments made pro rata with other priority claims or on a fixed monthly basis as indicated below.

			Monthly	
			Payment	Estimated
Creditor	Type of Contract	Arrearage	for Arrears	Cure Period
-NONE-				

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7. Liens Which Debtor(s) Seek to Avoid.

A. The debtor(s) move to avoid liens pursuant to 11 U.S.C. § 522(f). The debtor(s) move to avoid the following judicial liens and non-possessory, non-purchase money liens that impair the debtor(s)' exemptions. Unless a written objection is timely filed with the Court, the Court may grant the debtor(s)' motion and cancel the creditor's lien. If an objection is filed, the Court will hear evidence and rule on the motion at the confirmation hearing.

<u>Creditor</u> <u>Collateral</u> <u>Exemption Amount</u> <u>Value of Collateral</u>

B. Avoidance of security interests or liens on grounds other than 11 U.S.C. § 522(f). The debtor(s) have filed or will file and serve separate pleadings to avoid the following liens or security interests. The creditor should review the notice or summons accompanying such pleadings as to the requirements for opposing such relief. The listing here is for information purposes only.

8. Treatment and Payment of Claims.

- All creditors must timely file a proof of claim to receive payment from the Trustee.
- If a claim is scheduled as unsecured and the creditor files a claim alleging the claim is secured but does not timely object to confirmation of the Plan, the creditor may be treated as unsecured for purposes of distribution under the Plan. This paragraph does not limit the right of the creditor to enforce its lien, to the extent not avoided or provided for in this case, after the debtor(s) receive a discharge.
- If a claim is listed in the plan as secured and the creditor files a proof of claim alleging the claim is unsecured, the creditor will be treated as unsecured for purposes of distribution under the Plan.
- The Trustee may adjust the monthly disbursement amount as needed to pay an allowed secured claim in full.
- **9. Vesting of Property of the Estate.** Property of the estate shall revest in the debtor(s) upon confirmation of the Plan. Notwithstanding such vesting, the debtor(s) may not sell, refinance, encumber real property or enter into a mortgage loan modification without approval of the Court after notice to the Trustee, any creditor who has filed a request for notice and other creditors to the extent required by the Local Rules of this Court.
- 10. Incurrence of indebtedness. The debtor(s) shall not voluntarily incur additional indebtedness exceeding the cumulative total of \$5,000 principal amount during the term of this Plan, either unsecured or secured against personal property, except upon approval of the Court after notice to the Trustee, any creditor who has filed a request for notice, and other creditors to the extent required by the Local Rules of this Court.
- 11. Other provisions of this plan:
 - I. Payment of Adequate Protection
 - All adequate protection payments set forth in Section 3.C are to be paid through the Trustee.
 - The Debtor(s) shall pay regular post-petition contract payments to the creditors listed in Section 5.A., and such payments shall also constitute adequate protection payments to such creditors. Accordingly, the Trustee shall not pay adequate protection payments to creditors listed in Section 5.A.
 - No adequate protection payments are to be paid to any creditors unless the Plan provides for the payment of adequate protection of such claim(s) through the Trustee in Section 3.C. or directly by the Debtor(s) in Section 5.A., or unless the Court orders otherwise.

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Signatures:		
Dated: March 13, 2013		
/s/ Juana Rashawnda Murphy		/s/ Julia B. Adair VSB
Juana Rashawnda Murphy Debtor		Julia B. Adair VSB 45130 Debtor's Attorney
Desicol		Debtor stateories
	r(s)' Budget (Schedules I and J); ies Served with Plan	
	Certificate	of Service
I certify that on March Service List.	13, 2013 , I mailed a copy of th	e foregoing to the creditors and parties in interest on the attached
	/s/ Julia B. Adair VSB 45 Signature	
	P. O. Box 11588 Richmond, VA 23230 Address	<u> </u>
	804-358-9900 Telephone No.	

Ver. 09/17/09 [effective 12/01/09]

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B6I (Off	icial Form 6I) (12/07)				
In re	Juana Rashawnda Murphy		Case No.	13-31267-DOT	
		Debtor(s)			

SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status:	DEPENDENTS OF DEBTOR AND SPOUSE					
	RELATIONSHIP(S):	AGE(S):	. /			
Single	son	21 n	nonths			
Employment:	DEBTOR		SPOUSE			
Occupation	unemployed					
Name of Employer	Unemployed					
How long employed	March 2013					
Address of Employer						
INCOME: (Estimate of average	e or projected monthly income at time case filed)		DEBTOR		SPOUSE	
	and commissions (Prorate if not paid monthly)	\$	0.00	\$	N/A	
2. Estimate monthly overtime		\$	0.00	\$	N/A	
3. SUBTOTAL		\$	0.00	\$_	N/A	
4. LESS PAYROLL DEDUCTI	ONS					
 a. Payroll taxes and social 	security	\$	0.00	\$	N/A	
b. Insurance		\$	0.00	\$	N/A	
c. Union dues		\$	0.00	\$_	N/A	
d. Other (Specify):		\$	0.00	\$_	N/A	
_		\$	0.00	\$_	N/A	
5. SUBTOTAL OF PAYROLL	DEDUCTIONS	\$	0.00	\$	N/A	
6. TOTAL NET MONTHLY TA	AKE HOME PAY	\$	0.00	\$	N/A	
7. Regular income from operation	on of business or profession or farm (Attach detailed statement)	\$	0.00	\$	N/A	
8. Income from real property		\$	0.00	\$	N/A	
9. Interest and dividends		\$	0.00	\$	N/A	
10. Alimony, maintenance or su dependents listed above	apport payments payable to the debtor for the debtor's use or that	of \$	64.00	\$	N/A	
11. Social security or governme	nt assistance					
(Specify): TANF		\$	254.00	\$_	N/A	
	ment Benefits	\$	450.00	\$ _	N/A	
12. Pension or retirement incom	ne	\$	0.00	\$	N/A	
13. Other monthly income		_		_		
(Specify): Federal ar	nd State Tax Refunds Amortized	\$	333.33	\$_	N/A	
		\$	0.00	\$ _	N/A	
14. SUBTOTAL OF LINES 7 T	THROUGH 13	\$	1,101.33	\$_	N/A	
15. AVERAGE MONTHLY IN	COME (Add amounts shown on lines 6 and 14)	\$	1,101.33	\$_	N/A	
16. COMBINED AVERAGE M	MONTHLY INCOME: (Combine column totals from line 15)		\$	1,101	.33	

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

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B6J (Official Form 6J) (12/07)						
In re	Juana Rashawnda Murphy		Case No.	13-31267-DOT		
		Debtor(s)				

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time

case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22	rate. The av	
☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Comple expenditures labeled "Spouse."	ete a separate	e schedule of
1. Rent or home mortgage payment (include lot rented for mobile home)	\$	64.00
a. Are real estate taxes included? Yes X No		
b. Is property insurance included? Yes X No		
2. Utilities: a. Electricity and heating fuel	\$	0.00
b. Water and sewer	\$	0.00
c. Telephone	\$	0.00
d. Other	\$	0.00
3. Home maintenance (repairs and upkeep)	\$	300.00
4. Food	\$	10.00
5. Clothing6. Laundry and dry cleaning	\$ \$	0.00
7. Medical and dental expenses	\$ \$	10.00
8. Transportation (not including car payments)	\$	165.00
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$ 	0.00
10. Charitable contributions	\$	0.00
11. Insurance (not deducted from wages or included in home mortgage payments)	T	
a. Homeowner's or renter's	\$	0.00
b. Life	\$	0.00
c. Health	\$	0.00
d. Auto	\$	187.00
e. Other	\$	0.00
12. Taxes (not deducted from wages or included in home mortgage payments)		
(Specify) Personal Property	\$	10.00
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)		
a. Auto	\$	0.00
b. Other	\$	0.00
c. Other	\$	0.00
14. Alimony, maintenance, and support paid to others	\$	0.00
15. Payments for support of additional dependents not living at your home	\$	0.00
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	0.00
17. Other Ot	\$	40.00 25.00
Other Miscellaneous Expense	\$	25.00
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)	\$	811.00
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document:	-	
20. STATEMENT OF MONTHLY NET INCOME	¢	1 101 22
a. Average monthly income from Line 15 of Schedule Ib. Average monthly expenses from Line 18 above	\$	1,101.33 811.00
c. Monthly net income (a. minus b.)	\$	290.33

Office of the US Trustee 701 E. Broad Street Room 4304 Richmond, VA 23219

AFNI P.O. Box 3097 Bloomington, IL 61702

Allied Cash Advance Re: Bankruptcy 5000 Nine Mile Rd Richmond, VA 23223

American Education Services P.O. Box 2461 Harrisburg, PA 17105

Bank of America 1100 North King Street Wilmington, DE 19884-2211

CAC Financial Corp.
Re: VA Hospitalist
2601 NW Expressway, Suite 1000
Oklahoma City, OK 73112-7236

CALL Federal Credit Union 4605 Commerce Road P.O. Box 26603 Richmond, VA 23261

Capio Partners 222 Texoma Pkwy, Suite 150 RE: Doctors Hospital Sherman, TX 75090

Check City
Re: Bankruptcy
21 E. Broad Street
Richmond, VA 23219

Comcast Attn: Bankruptcy Dept PO Box 3006 Southeastern, PA 19398-3012 Continental Emergency Services 111 Bulifants Blvd. Suite B Williamsburg, VA 23188

Discover Card PO Box 6103 Carol Stream, IL 60197-6103

Fed Loan Servicing P.O. Box 69184 Harrisburg, PA 17106

Focused Recovery Solutions Re: Henrico Doctors 9701 Metropolitan Ct, Suite B Richmond, VA 23236-3662

GECRB/JCP Re: Bankruptcy PO Box 103104 Roswell, GA 30076

Henrico Doctor's Hospital Attn: Legal Dept. P.O. Box 13620 Richmond, VA 23225

Kohl's/Capital One P.O. Box 3115 Milwaukee, WI 53201

Loan Max Re: Bankruptcy 4802 S. Laburnum Avenue Richmond, VA 23231

Loan Max - Bkry Ntc Attn: Natalie Dubose 3440 Preston Ridge Rd., #500 Alpharetta, GA 30005

Macys DSNB 911 Duke Blvd Mason, OH 45040 MarkOne Financial P.O. Box 550870 Jacksonville, FL 32255-0870

Monarch Recovery Management 10965 Decatur Road Philadelphia, PA 19154-3210

NCO Financial Re: Suntrust 507 Prudential Rd. Horsham, PA 19044-2308

PMAB LLC P.O. Box 12150 Charlotte, NC 28220

Security Credit Services 2623 W. Oxford Loop RE: GECC Oxford, MS 38655

Security Credit Services 2623 W. Oxford Loop Oxford, MS 38655

Sprint Attn: Bankruptcy Dept 12502 Sprint Reston, VA 20196

Suntrust Bank RE: Bankruptcy P.O. Box 791144 Baltimore, MD 21279-1144

T-Mobile Re: Bankruptcy P.O. Box 37380 Albuquerque, NM 87176-7380

US Dept of Education P.O. Box 5609 Greenville, TX 75403

VA Hospitalists Inc 09 P.O. Box 740776 Cincinnati, OH 45274

Verizon PO Box 3037 Bloomington, IL 61702

Virginia Credit Union P.O. Box 90010 Richmond, VA 23225

Virginia Physicians for Women PO Box 6829 Richmond, VA 23230-0829

Wells Fargo Bank P.O. Box 31557 Billings, MT 59107